

May 9, 2011

UNITED STATES DISTRICT COURT  
FOR THE  
SOUTHERN DISTRICT OF CALIFORNIA

2011 MAY -9 AM 9:30

Petition for Warrant for Defendant on Pretrial Release

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Name of Defendant: McDANIEL, Jeffrey Lee (English)

Dkt No.: 10CR2047-W-001

Reg. No.: 21023-298

Name of Judicial Officer: The Honorable Thomas J. Whelan, U.S. District Judge

Date Conditions Ordered: April 29, 2010, before the Honorable William McCurine Jr., U.S. Magistrate Judge

Charged Offense: 18:2252(a)(2) - Distribution of Images of Minors Engaged in Sexually Explicit Conduct

**Conditions of Release:**

*Mandatory Conditions* - not commit a federal, state or local crime during your period of release and make all court appearances.

*Standard Conditions* - restrict travel to the State of California, and do not enter Mexico; report for supervision to Pretrial Services Agency (PSA) as directed by the assigned PSO and pay for the reasonable costs of supervision in an amount determined by PSA and approved by the Court; not possess or use any narcotic drug or controlled substance, (defined in 21U.S.C. § 802), without a lawful medical prescription; not possess any firearm, dangerous weapon or destructive device during the pendency of the case; provide a current residence address and phone number prior to release and keep it current while the case is pending.

*Special Conditions* - actively seek and maintain full-time employment, schooling, or a combination of both; surrender passport and all travel documents to Pretrial Services. Do not apply or reapply for any passport or travel documents during the pendency of case; avoid all contact with an alleged victim of the crime and with potential witnesses who may testify concerning the offense; submit to treatment and/or testing as specified by the assigned PSO, for psychiatric or psychological counseling, and such counseling is to be with a counselor who has experience in treating individuals charged with sexual crimes; participate in the "Computer Monitoring Program" and do not use/access any computer without monitoring software installed, unless approved in advance by Pretrial Services; Do not access any social networking sites including, but not limited to, MySpace, Facebook, Friendster, etc.; do not access any website or possess any material depicting sexually explicit conduct as defined by Title 18 U.S.C. 2256(2); do not access any online computer service or any other device with internet capabilities (e.g. iPods, X-Box, Wii, cellular telephone) at any location, at any time, this includes any internet service provider, bulletin board system, or other public or private computer network; no direct or indirect contact with children under the age of eighteen (18) unless accompanied and supervised by an adult who is aware of the charges and who must be physically present at the time of contact; report to Pretrial Services within eight (8) hours any unauthorized contact with any person under the age of eighteen (18); do not engage in any paid occupation

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or volunteer service that allows for direct or indirect exposure to children under the age of eighteen (18), unless approved in advance by Pretrial Services and the Court; shall not frequent or loiter in any place where children under the age of eighteen (18) congregate(e.g. schools, parks, playgrounds, video arcades, swimming pools etc.); Notify employer of conditions of release within seven (7) days of release; participate in the Location Monitoring Program and abide by all technology requirements, the defendant will be placed on GPS monitoring, home detention, and curfew - remain at residence everyday from 10:00 p.m. to 5:30 a.m. or as directed by the Pretrial Services Officer.

**Modification:** June 3, 2010, bond modified to a signature bond co-signed by Steven Williams

**Date Released on Bond:** April 29, 2010

**Next Court Hearing:** May 20, 2011, self-surrender to Pretrial Services and U.S. Marshal

**Asst. U.S. Atty.:** Alessandra Serano  
(619) 557-7084

**Defense Counsel:** Brian White (appointed)  
(619) 280-8022

**Prior Violation History:** On October 11, 2011, the defendant was at La Jolla Elementary School in conjunction with his employment. His employer verified the defendant's work duties, locations, and no contact with any minors (school was not in session). The Court was notified and agreed to take no action regarding this violation.



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**PETITIONING THE COURT**

**TO ISSUE A NO-BAIL BENCH WARRANT**

The Pretrial Services officer believes that the defendant has violated the following condition(s) of pretrial release:

**CONDITION(S)**

**ALLEGATION(S) OF NONCOMPLIANCE**

**(Special Condition)**

Participate in the Location Monitoring Program and abide by all technology requirements, the defendant will be placed on GPS monitoring, home detention, and curfew - remain at residence everyday from 10:00 p.m. to 5:30 a.m. or as directed by the Pretrial Services Officer

1. On May 8, 2011, the defendant left his residence at 12:09 a.m. without prior permission/approval from Pretrial Services.

**Grounds for Revocation:**

On May 8, 2011, the undersigned received notification regarding the defendant leaving his residence without prior approval. Subsequently, the undersigned was notified by officers from the La Mesa Police Department the defendant attempted suicide by overdosing on his prescription medication (took 10 times/10 pills the normal dose of CELEXA) and the defendant is being taken to the emergency room at Grossmont Hospital for treatment for the overdose.

The evaluating psychiatrist verified the defendant's suicide attempt and indicated he would place a 72 hour psychiatric hold for the defendant based on the defendant's current situation and circumstances. The defendant is scheduled to surrender on May 20, 2011, and has expressed anxiety regarding his designation at Victorville Medium Security Detention Facility rather than a medical facility.

**SUPERVISION ADJUSTMENT**

The defendant has been in compliance with his conditions of release. Recently, the defendant's stability (mental health status) has been deteriorating. The court was notified of the defendant's "breakdown" which occurred on March 15, 2011 and the defendant reporting thoughts of suicide without a plan or means to his treatment counselor and the defendant going to San Diego County Mental Health for further assessment of his mental health.

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Criminal computerized record checks reveal no new arrests or convictions.

**RECOMMENDATION/JUSTIFICATION**

The defendant's mental health has been deteriorating, and now includes a suicide attempt. The defendant is scheduled to surrender and begin his sentence on May 20, 2011. Therefore, Pretrial Services respectfully recommends your Honor order a No-Bail Bench Warrant for the defendant's arrest to ensure the his safety and in order to bring him before the Court to show cause why his bond should not be revoked.

**I declare under penalty of perjury that the foregoing is true and correct.**


**Executed on:** May 9, 2011

Respectfully submitted:

LORI A. GAROFALO

CHIEF PRETRIAL SERVICES OFFICER

Reviewed and approved:


by 

Ryan Alejandria

U.S. Pretrial Services Officer

(619) 446-3616

Place: San Diego, California



Jeff Larsen

Supervising U.S. Pretrial Services Officer

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  X   **AGREE, ISSUE A NO BAIL BENCH WARRANT FOR THE DEFENDANT'S ARREST AND ORDER HIM TO SHOW CAUSE WHY HIS BOND SHOULD NOT BE REVOKED.**

Other

The Honorable Thomas J. Whelan  
U.S. District Judge

Date \_\_\_\_\_

I hereby attest and certify on May 09, 2011 that the foregoing document is a full, true and correct copy of the original on file in my office and in my legal custody.

Clerk, U.S. District Court  
Southern District of California

By: s/ J. Petersen  
Deputy

